

**DURHAM, NORTH CAROLINA  
TUESDAY, SEPTEMBER 2, 2008  
7:00 P.M.**

The Durham City Council met in regular session on the above date and time in the Council Chambers at City Hall with the following members present: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Ali, Brown, Catotti, Clement and Woodard. Absent: None.

Also present: City Manager Thomas J. Bonfield, City Attorney Patrick Baker, City Clerk D. Ann Gray and Deputy City Clerk Linda Bratcher.

Mayor Bell called the meeting to order with a moment of silent meditation and the pledge of allegiance led by Council Member Clement.

Mayor Pro Tempore Cole-McFadden provided background information on the Durham Youth Council and requested that the name be changed to the Durham Youth Commission. She recognized DeWarren Langley who presented this concept to the City Council. For this year, Mayor Pro Tempore Cole-McFadden announced that every student who applied was accepted into the Durham Youth Commission so that no one would feel or be rejected and gave an overview of initiatives that would be undertaken by the Youth Commission.

At this time during the meeting, the Mayor Pro Tempore Cole-McFadden recognized Jeremy Farrell--a Junior Fire Marshal graduate.

City Clerk Gray swore in 56 members of the Durham Youth Commission.

Sydney Brunson, a member of the Durham Youth Commission, shared her experiences and the knowledge she gained by serving on the Youth Commission over the past several years.

DeWarren Langley gave remarks encouraging the Durham Youth Commission to use this opportunity to impact change in the city of Durham, urged the City Council to seek ways to engage the Youth Commission as decisions are made by the Durham City Council and asked the parents to support their children.

Council Member Clement made comments on the *Spectacular Magazine* article which featured Human Relations Director Yvonne Pena and congratulated the women honored to include Mayor Pro Tempore Cole-McFadden and Council Member Catotti during the Women's Equality Day observance on August 26. He thanked the Mayor Pro Tem for her work as the liaison to the Durham Youth Commission.

Council Member Woodard congratulated Sister Cities for winning an International Award for its innovation in arts and culture and thanked St. Luke's Episcopal Church for hosting a workshop on faith/environment.

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Mayor Pro Tempore Cole-McFadden recognized the Northern High School baseball team, their coaching staff and parents for their participation during a food give away at West Durham Baptist Church. Also, she congratulated the Merritt-Moore High School Class of 1968 on their 40th class reunion.

Mayor Bell announced that he would be writing a letter on behalf of the Council to congratulate Coach K for achievements at the U S Olympics.

Mayor Pro Tempore Cole-McFadden thanked the Fire Department for their work with the last graduating class of fire marshals.

There were no priority items from the City Manager, City Attorney and City Clerk.

Mayor Bell asked if any citizen(s) or council member(s) wanted to pull any items from the Consent Agenda. No items were pulled from the Consent Agenda.

**MOTION** by Council Member Woodard seconded by Council Member Catotti to approve the Consent Agenda was approved at 7:28 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Ali, Brown, Catotti, Clement and Woodard. Noes: None. Absent: None.

#### **[CONSENT AGENDA]**

#### **SUBJECT: APPROVAL OF CITY COUNCIL MINUTES**

**MOTION** by Council Member Woodard seconded by Council Member Catotti to approve the City Council minutes for the August 4, 2008 City Council Meeting; and

To approve City Council action taken at the July 24, 2008 City Council Work Session was approved at 7:28 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Ali, Brown, Catotti, Clement and Woodard. Noes: None. Absent: None.

#### **SUBJECT: CITIZENS ADVISORY COMMITTEE - APPOINTMENT**

**MOTION** by Council Member Woodard seconded by Council Member Catotti to appoint Corinna Page to the Citizens Advisory Committee with the term to expire on June 30, 2011 was approved at 7:28 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Ali, Brown, Catotti, Clement and Woodard. Noes: None. Absent: None.

#### **SUBJECT: DURHAM HOUSING AUTHORITY BOARD OF COMMISSIONERS - RECEIPT AND ACCEPTANCE OF AN APPLICATION**

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**MOTION** by Council Member Woodard seconded by Council Member Catotti to receive and accept an application for a citizen to fill one (1) vacancy on the Durham Housing Authority Board of Commissioners with the term to expire on September 28, 2013 was approved at 7:28 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Ali, Brown, Catotti, Clement and Woodard. Noes: None. Absent: None.

**SUBJECT: EXTENSION OF JANITORIAL SERVICE CONTRACT FOR FLEET MANAGEMENT DEPARTMENT - JAN PRO CLEANING SYSTEMS**

**MOTION** by Council Member Woodard seconded by Council Member Catotti to authorize the City Manager to extend the Fleet Management and Communications Maintenance Janitorial Services Contract with Jan Pro Cleaning Systems of Raleigh, North Carolina for a two year period for the amount of \$31,872.00; and

To authorize the City Manager to modify the contract before execution provided that modifications do not increase the dollar amount of the contract, except that increases in the dollar amount of the contract which are solely attributable to the city's livable wage ordinance are allowed was approved at 7:28 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Ali, Brown, Catotti, Clement and Woodard. Noes: None. Absent: None.

**SUBJECT: DESIGN-BUILD AGREEMENT FOR THE DURHAM SKATEBOARD PARK - LUMINA BUILDERS, INC. AND PILLAR DESIGN STUDIOS**

**MOTION** by Council Member Woodard seconded by Council Member Catotti to adopt a resolution, pursuant to N.C. General Statute §143-64.32, exempting the Durham Skateboard Park Project from NC General Statute 143-64.31;

To authorize the City Manager to execute the Design-Build Agreement for the Durham Skateboard Park with the joint venture team of Lumina Builders, Inc. and Pillar Design Studios in the amount of \$371,600.00;

To authorize the City Manager to make changes to the contract before executing it if the changes do not increase the fee to be paid by the City and do not decrease the goods and services to be provided to the City;

To establish a project contingency in the amount of \$59,125.00; and

To authorize the City Manager to negotiate and execute change orders on the Design-Build Agreement for the Durham Skateboard Park provided the total project cost does not exceed \$430,725.00 was approved at 7:28 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Ali, Brown, Catotti, Clement and Woodard. Noes: None. Absent: None.

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**Resolution #9599**

**SUBJECT: DEVELOPMENT REVIEW PROCESS IMPROVEMENT**

**MOTION** by Council Member Woodard seconded by Council Member Catotti to receive an update on the Development Review Process Improvement Project was approved at 7:28 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Ali, Brown, Catotti, Clement and Woodard. Noes: None. Absent: None.

**SUBJECT: CONTRACT AMENDMENT- AMEND CONTRACT WITH RTP SIGNS AND GRAPHICS**

**MOTION** by Council Member Woodard seconded by Council Member Catotti to authorize the City Manager to amend the contract with RTP Signs and Graphics to extend the term of the contract from October 1, 2008 to October 1, 2009; and

To authorize the City Manager to modify the contract before execution provided that modifications do not increase the dollar amount of the contract and the modifications are consistent with the general intent of the existing version of the contract was approved at 7:28 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Ali, Brown, Catotti, Clement and Woodard. Noes: None. Absent: None.

**SUBJECT: USE OF ASSET FORFEITURE FUNDS TO PROCURE TRAINING AND EQUIPMENT TO ENHANCE POLICE OPERATIONS**

**MOTION** by Council Member Woodard seconded by Council Member Catotti to authorize the use of asset forfeiture funds in an amount not to exceed \$727,000.00 to procure Training and Equipment to Enhance Police Operations was approved at 7:28 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Ali, Brown, Catotti, Clement and Woodard. Noes: None. Absent: None.

1.	Upgrade of the Department's in-car video program	\$370,000.00
2.	Furniture for the District 2 Substation (Keller-Williams)	\$40,000.00
3.	Audio visual eq. and furniture for the Com-Stat Room	\$150,000.00
4.	Canine training contract	\$21,000.00
5.	Additional training funds	\$40,000.00
6.	Voice stress analysis equipment	\$11,000.00
7.	Crime Prevention Initiatives	\$20,000.00
8.	Five (5) sets of emergency vehicle equipment	\$20,000.00
9.	Bar code inventory system	\$15,000.00
10.	Ten (10) mobile radios	\$40,000.00

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**SUBJECT: LICENSE AGREEMENT WITH ABERNATHY HOME OWNERS ASSOCIATION, INC.**

**MOTION** by Council Member Woodard seconded by Council Member Catotti to authorize the City Manager to enter into a license agreement with Abernathy Home Owners Association, Inc. for installation of an irrigation system within Abernathy Drive; and

To authorize the City Manager to modify the agreement before execution provided that modifications do not increase the dollar amount of the agreement and the modifications are consistent with the general intent of the existing version of the agreement was approved at 7:28 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Ali, Brown, Catotti, Clement and Woodard. Noes: None. Absent: None.

*The City Council disposed of the following agenda items at the August 21, 2008 Work Session:*

**10. Walltown Center and Trinity Avenue Center**

To receive an update on the Walltown Center and Trinity Avenue Center.

*(A presentation was received at the 08-21-08 Work Session)*

**11. July 2008 Monthly Crime Report**

To receive a presentation on the July 2008 Monthly Crime Report.

*(A presentation was received at the 08-21-08 Work Session)*

**12. Ordering Improvements**

To conduct a public hearing and receive public comments on the following proposed improvements; and

To adopt resolutions ordering the improvements:

- a. Water Main on Ed Cook Road from Hickory Nut Drive to South Property Line of PIN 0739-02-79-0975
- b. Water Main on Stallings Road from Mineral Springs Road to South Property Line of PIN 0851-02-98-0871.

*(12 (b) Referred back to the Administration – Public Works Dept.)*

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**22. Harold L. Noell**

To receive comments from Harold Noell regarding property crime and vacant houses.

*(Citizen did not appear at the 08-21-08 Work Session per citizens' request)*

**23. Kelly Mieszkalski**

To receive comments from Kelly Mieszkalski regarding the process of blocking Broad Street north of Stadium Drive.

*(This item was referred back to the Administration – Public Works Dept.)*

**24. Proposed Sale of Property at 520-C Eastway Avenue PIN# 0831-10-45-6575**

To determine the property at 520-C Eastway Avenue to be surplus;

To authorize the sale of the property under the authority of Section 86 of the City Charter;

To accept the offer to purchase for the property located at 520-C Eastway Avenue; and

To authorize the City Manager to sell and the Mayor to convey the properties by a non-warranty deed and authorize the City Manager to terminate these contracts for sale if the contract terms are not fulfilled.

*(This item was approved at the 08-21-08 Work Session )*

**25. Third Fork Creek**

To discuss the smell at Third Fork Creek.

*(A discussion was held at the 08-21-08 Work Session with periodic updates to follow)*

**[GENERAL BUSINESS AGENDA]**

**SUBJECT: DEVELOPMENT REVIEW PROCESS IMPROVEMENT**

Deputy City Manager Ted Voorhees commented on the discussion that was held at the Work Session concerning four specific areas with respect to development review. He reported one of the recommendations was severed and referred to the General Business Agenda for discussion tonight.

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Mayor Bell explained why he asked that this item be severed for the purpose of giving the development community an opportunity to speak on this item.

No one was present to speak on this item.

**MOTION** by Council Member Woodard seconded by Mayor Pro Tempore Cole-McFadden to consider a change in procedure when considering land use cases requiring a Traffic Impact Analysis (TIA) whereby consideration of input from the North Carolina Department of Transportation (NCDOT) would no longer be a controlling factor in allowing a case to proceed through the rezoning process; and

To refer this matter to the Joint City County Planning Committee (JCCPC) for specific recommendations as to how this change in procedure should be carried out was approved at 7:31 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Ali, Brown, Catotti, Clement and Woodard. Noes: None. Absent: None.

**[PUBLIC HEARINGS]**

**SUBJECT: ORDERING IMPROVEMENT - WATER MAIN ON ED COOK ROAD**

Engineering and Storm Water Manager Ed Venable informed Council that a valid petition was received for this improvement and staff is recommending approval of this request.

Mayor Bell opened the public hearing.

A resident of Ed Cook Road spoke in support of this improvement.

Mayor Bell closed the public hearing.

**MOTION** by Council Member Woodard seconded by Council Member Catotti to receive public comments on the following proposed improvement; and

To adopt a resolution ordering the improvement for a water main on Ed Cook Road from Hickory Nut Drive to South Property Line of PIN 0739-02-79-0975 was approved at 7:33 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Ali, Brown, Catotti, Clement and Woodard. Noes: None. Absent: None.

**SUBJECT: MINI ASSESSMENT ROLL FOR WATER AND SEWER LATERALS ON EDGERTON DRIVE FROM ED COOK ROAD TO THE WEST PROPERTY LINE OF TAX MAP 566-3-23**

Engineering and Storm Water Manager Ed Venable stated this mini assessment roll was continued from the previous public hearing. He reported the properties on Edgerton Drive have

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not benefitted from the water and sewer lateral improvements at this time and should be relieved of assessments until tap on in accordance with City policy.

Mayor Bell opened the public hearing. There being no one to speak in support for or against this item, the Mayor closed the public hearing.

a. Property of Orville Frank Hinsdale

**MOTION** by Council Member Clement seconded by Council Member Catotti to find that the property of Orville Frank Hinsdale, identified as Edgerton Drive, vacant, PIN 0830-04-62-7470, has not benefited from the water and sewer lateral improvements at this time and to relieve the assessments in the amount of \$670.00 and \$1,100.00, respectively, with the provision that the applicable lateral charge will be due and payable at the prevailing rate should the property connect to either lateral (in accordance with City policy); and

To find that the property of Orville Frank Hinsdale, identified as Edgerton Drive, vacant, PIN 0830-04-62-6349, has not benefited from the water and sewer lateral improvements at this time and to relieve the assessments in the amount of \$670.00 and \$1,100.00, respectively, with the provision that the applicable lateral charge will be due and payable at the prevailing rate should the property connect to either lateral (in accordance with City policy) was approved at 7:34 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Ali, Brown, Catotti, Clement and Woodard. Noes: None. Absent: None.

b. Property of Faye Hinesley

**MOTION** by Council Member Clement seconded by Council Member Catotti to find that the property of Faye Hinesley, identified as Edgerton Drive, vacant, PIN 0830-04-62-5451, has not benefited from the water and sewer lateral improvements at this time and to relieve the assessments in the amount of \$670.00 and \$1,100.00, respectively, with the provision that the applicable lateral charge will be due and payable at the prevailing rate should the property connect to either lateral (in accordance with City policy) was approved at 7:34 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Ali, Brown, Catotti, Clement and Woodard. Noes: None. Absent: None.

c. Property of Edgar Owen Allen (deceased)

**MOTION** by Council Member Clement seconded by Council Member Catotti to reconsider the water and sewer lateral assessments against the property of Edgar Owen Allen (deceased), identified as Edgerton Drive, vacant, PIN 0830-04-62-9305, and to find that the property has not benefited from the water and sewer lateral improvements at this time and to relieve the assessments in the amount of \$670.00 and \$1,100.00, respectively, with the provision that the applicable lateral charge will be due and payable at the prevailing rate should the property connect to either lateral (in accordance with City policy) was approved at 7:34 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Ali, Brown, Catotti, Clement and Woodard. Noes: None. Absent: None.



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d. Property of Lorraine B. Green

**MOTION** by Council Member Clement seconded by Council Member Catotti to reconsider the water lateral assessment against the property of Lorraine B. Green, identified as 1911 Edgerton Drive, PIN 0830-04-62-8347, and to find that the property has not benefited from the water lateral improvement at this time and to relieve the assessment in the amount of \$670.00, with the provision that a water lateral charge will be due and payable at the prevailing rate should the property connect to the water lateral (in accordance with City policy) was approved at 7:34 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Ali, Brown, Catotti, Clement and Woodard. Noes: None. Absent: None.

**SUBJECT: MINI ASSESSMENT ROLL FOR WATER MAIN ON EDGERTON DRIVE FROM ED COOK ROAD TO THE WEST PROPERTY LINE OF TAX MAP 566-3-23**

Engineering and Storm Water Manager Ed Venable stated this mini assessment roll was continued from the previous public hearing. He reported the properties on Edgerton Drive have not benefitted from the water main improvements at this time and should be relieved of assessments until tap on in accordance with City policy.

Mayor Bell opened the public hearing. There being no one to speak in support for or against this item, the Mayor closed the public hearing.

a. Property of Faye Hinesley

**MOTION** by Council Member Woodard seconded by Council Member Catotti to find that the property of Faye Hinesley, identified as Edgerton Drive, vacant, PIN 0830-04-62-5451, has not benefited from the water main improvement at this time and to relieve the assessment in the amount of \$2,175.00, with the provision that a water frontage charge will be due and payable at the prevailing rate should the property connect to the water (in accordance with City policy) was approved at 7:34 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Ali, Brown, Catotti, Clement and Woodard. Noes: None. Absent: None.

b. Property of Orville Frank Hinsdale

**MOTION** by Council Member Woodard seconded by Council Member Catotti to reconsider the assessment against the property of Orville Frank Hinsdale, identified as Edgerton Drive, vacant, PIN 0830-04-62-7470, and to find that the property has not benefited from the water main improvement at this time and to relieve the assessment in the amount of \$362.50, with the provision that a water frontage charge will be due and payable at the prevailing rate should the property connect to the water (in accordance with City policy); and

To reconsider the assessment against the property of Orville Frank Hinsdale, identified as Edgerton Drive, vacant, PIN 0830-04-62-6349, and to find that the property has not benefited

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from the water main improvement at this time and to relieve the assessment in the amount of \$362.50, with the provision that a water frontage charge will be due and payable at the prevailing rate should the property connect to the water (in accordance with City policy) was approved at 7:34 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Ali, Brown, Catotti, Clement and Woodard. Noes: None. Absent: None.

**SUBJECT: MINI ASSESSMENT ROLL FOR WATER MAIN ON CHALK LEVEL ROAD FROM THE EAST PROPERTY LINE OF TAX MAP 298-1-5 TO SHAFTSBURY STREET**

Engineering and Storm Water Manager Ed Venable stated this mini assessment roll was continued from the previous public hearing. He reported the properties on Chalk Level Road have not benefitted from the water main improvements at this time and should be relieved of assessments until tap on in accordance with City policy.

Mayor Bell opened the public hearing. There being no one to speak in support for or against this item, the Mayor closed the public hearing.

**MOTION** by Council Member Woodard seconded by Council Member Catotti to reconsider the assessment against the property of Baeton C. Rigsbee, identified as 1001 Chalk Level Rd, PIN 0823-11-57-1483, and to find that the property has not benefited from the water main improvement and to relieve the assessment in full in the amount of \$1,363.00 (in accordance with City policy) was approved at 7:35 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Ali, Brown, Catotti, Clement and Woodard. Noes: None. Absent: None.

**SUBJECT: MINI ASSESSMENT ROLL FOR WATER AND SEWER LATERALS ON CHALK LEVEL ROAD FROM SHAFTSBURY STREET WEST TO STADIUM DRIVE**

Engineering and Storm Water Manager Ed Venable stated this mini assessment roll was continued from the previous public hearing. He reported the properties on Chalk Level Road have not benefitted from the water and sewer lateral improvements at this time and should be relieved of assessments until tap on in accordance with City policy.

Mayor Bell opened the public hearing. There being no one to speak in support for or against this item, the Mayor closed the public hearing.

**MOTION** by Mayor Pro Tempore Cole-McFadden seconded by Council Member Woodard to reconsider the water and sewer lateral assessments against the property of Joe F. Berini Construction Co., Inc, identified as Chalk Level Rd, vacant, PIN 0823-10-47-6222; and

To find that the property has not benefited from the water and sewer lateral improvements at this time and to relieve the assessments in the amount of \$670.00 and \$1,100.00, respectively, with

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the provision that the applicable lateral charge will be due and payable at the prevailing rate should the property connect to either lateral (in accordance with City policy) was approved at 7:36 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Ali, Brown, Catotti, Clement and Woodard. Noes: None. Absent: None.

**SUBJECT: STREET CLOSING – 69.58 LINEAR FOOT PORTION OF RAMSEUR STREET (SC0800002)**

City/County Planning Director Steve Medlin briefed Council on the street closing. He stated this request is one of the five related public hearing requests this evening and the purpose is to combine the properties to allow the County of Durham to develop the Durham Human Services Complex. He reported no adverse impacts have been identified and staff is recommending approval.

Mayor Bell opened the public hearing. There being no one to speak in support for or against this item, the Mayor closed the public hearing.

**MOTION** by Mayor Pro Tempore Cole-McFadden seconded by Council Member Catotti to receive public comment on the permanent closing of a 69.58 linear foot portion of Ramseur Street; and

To adopt an Order permanently closing a 69.58 linear foot portion of Ramseur Street was approved at 7:37 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Ali, Brown, Catotti, Clement and Woodard. Noes: None. Absent: None.

**Ordinance #13687**

**SUBJECT: STREET CLOSING – 501.05 LINEAR FOOT #28 ALLEY BETWEEN SOUTH DILLARD STREET AND SOUTH ELIZABETH STREET (SC0800003)**

City/County Planning Director Steve Medlin briefed Council on the street closing. As indicated earlier in the meeting, this request is a part of the future Durham County Human Services Complex. He reported no adverse impacts have been identified and staff is recommending approval.

Mayor Bell opened the public hearing. There being no one to speak in support for or against this item, the Mayor closed the public hearing.

**MOTION** by Mayor Pro Tempore Cole-McFadden seconded by Council Member Woodard to receive public comment on the permanent closing of a 501.05 linear foot #28 Alley between South Dillard Street and South Elizabeth Street; and

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To adopt an Order permanently closing a 501.05 linear foot #28 Alley between South Dillard Street and South Elizabeth Street was approved at 7:38 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Ali, Brown, Catotti, Clement and Woodard. Noes: None. Absent: None.

**Ordinance #13688**

**SUBJECT: STREET CLOSING –360.52 LINEAR FEET OF EAST PEABODY STREET BETWEEN SOUTH DILLARD STREET AND SOUTH ELIZABETH STREET (SC0800004)**

City/County Planning Director Steve Medlin briefed Council on the street closing reporting no adverse impacts have been identified and staff is recommending approval.

Mayor Bell opened the public hearing. There being no one to speak in support for or against this item, the Mayor closed the public hearing.

**MOTION** by Council Member Woodard seconded by Council Member Catotti to receive public comment on the permanent closing of 360.52 linear feet of East Peabody Street between South Dillard Street and South Elizabeth Street; and

To adopt an Order permanently closing 360.52 linear feet of East Peabody Street between South Dillard Street and South Elizabeth Street was approved at 7:39 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Ali, Brown, Catotti, Clement and Woodard. Noes: None. Absent: None.

**Ordinance #13689**

**SUBJECT: STREET CLOSING – 138.96 FEET OF AN UNNAMED ALLEY BETWEEN EAST PEABODY STREET AND EAST RAMSEUR STREET (SC0800005)**

City/County Planning Director Steve Medlin briefed Council on the street closing reporting no adverse impacts have been identified and staff is recommending approval.

Mayor Bell opened the public hearing. There being no one to speak in support for or against this item, the Mayor closed the public hearing.

**MOTION** by Mayor Pro Tempore Cole-McFadden seconded by Council Member Woodard to receive public comment on the permanent closing of 138.96 feet of an unnamed alley between East Peabody Street and East Ramseur Street; and

To adopt an Order permanently closing 138.96 feet of an unnamed alley between East Peabody Street and East Ramseur Street was approved at 7:40 p.m. by the following vote: Ayes: Mayor

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Bell, Mayor Pro Tempore Cole-McFadden and Council Members Ali, Brown, Catotti, Clement and Woodard. Noes: None. Absent: None.

**Ordinance #13690**

**SUBJECT: STREET CLOSING – 105.74 LINEAR FOOT PORTION OF SOUTH DILLARD STREET (SC0800009)**

City/County Planning Director Steve Medlin briefed Council on the street closing. As indicated earlier in the meeting, this request is a part of the future Durham County Human Services Complex. He reported no adverse impacts have been identified and staff is recommending approval.

Mayor Bell opened the public hearing. There being no one to speak in support for or against this item, the Mayor closed the public hearing.

**MOTION** by Mayor Pro Tempore Cole-McFadden seconded by Council Member Woodard to receive public comment on the permanent closing of a 105.74 linear foot portion of South Dillard Street; and

To adopt an Order permanently closing a 105.74 linear foot portion of South Dillard Street was approved at 7:41 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Ali, Brown, Catotti, Clement and Woodard. Noes: None. Absent: None.

**Ordinance #13691**

Mayor Pro Tempore Cole-McFadden recognized individuals who were attending the City Council Meeting.

There being no further business to come before the City Council, the meeting was adjourned at 7:41 p.m.

Linda E. Bratcher, CMC  
Deputy City Clerk

D. Ann Gray, MMC  
City Clerk